

REMARKS

Reconsideration and allowance are respectfully requested. Claims 1, 3, 4, 12, 14, 18, 20, 21, 29 and 30 have been amended. Claims 1-34 remain pending.

The Examiner objected to claims 4, 14, 20, and 30 for containing abbreviations. The claims have been carefully reviewed and revised to recite LDAP positively. Therefore, the objection should be withdrawn.

Claims 1, 2, 5, 9-13, 15, 18-19, 22, 26-29, 31 and 34 stand rejected under 35 U.S.C. 102(e) as being anticipated by Albal et al. The independent claims 1, 12, 18 and 29 have been amended to define the invention more clearly and thus, obviate the rejection. In particular, each of the independent claims recites that the personalized voice message has a recorded voice of the called party for playback as a messaging prompt to the calling party. As an example of implementation of such features, as indicated in the present specification at page 11, lines 6-11, if a called party's friend (calling party) is expected to call from calling number 408-555-555, the messaging system can associate this calling number with a personalized message such as, "Hello Joe, I just left. Meet me at the golf course". Since the message is a prompt, Joe (calling party) could leave a message such as, "I will be there in 20 minutes."

Albal et al. at paragraph [0047] teach that the node 212 provides as a welcome greeting "various dialog voice personalities (i.e., a female voice, a male voice , etc.) and can implement various grammars (i.e., vocabulary) to detect and respond to the audio inputs from the user." Furthermore, at paragraph [0048] Albal et al. teach that the greeting for the user is from "a personal agent". Thus, it is clear that Albal et al. do not

teach or suggest a personalized voice message having a recorded voice of the called party for playback as the messaging prompt to the calling party as now claimed.

In addition, the Examiner contends that that Albal et al. teach accessing stored calling party number information "from an Internet Protocol (IP) based database server". However, at paragraph [0025], Albal et al. teach searching a contact list for the subscriber to find a contact with the telephone number of the calling party by accessing an address book 63. Albal et al. do not teach that the address book 63 is an IP based database server. Hence, the rejection should be withdrawn because it fails to demonstrate that the applied reference discloses each and every element of the claim. See MPEP 2131. "The identical invention must be shown in as complete detail as is contained in the ... claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). "Anticipation cannot be predicated on teachings in the reference which are vague or based on conjecture." Studiengesellschaft Kohle mbH v. Dart Industries, Inc., 549 F. Supp. 716, 216 USPQ 381 (D. Del. 1982), aff'd., 726 F.2d 724, 220 USPQ 841 (Fed. Cir. 1984).

With regard to claims 5 and 22, Albal et al. do not teach retrieving the storing personalized voice message from the IP based database server. Albal et al. at paragraph [0080] teach a voice mail unit 274 that stores the voice mail messages. Albal et al. do not teach that the voice mail unit 274 is an IP based database server. Hence, the rejection should be withdrawn because it fails to demonstrate that the applied reference discloses each and every element of the claim.

Claims 4, 14, 20 and 30 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Albal et al. in view of Ng. This rejection is respectfully traversed. As

noted above, Albal et al. does not even teach that that the personalized voice messages are stored in an IP based database server, thus it would not have been obvious to use LDAP in the system of Albal et al. "Teachings of references can be combined only if there is some suggestion or incentive to do so." In re Fine, 5 USPQ2d 1596,1600 (Fed. Cir. 1988) (quoting ACS Hosp. Sys. v. Montefiore Hosp., 221 USPQ 929, 933 (Fed. Cir. 1984)) (emphasis in original). Therefore, the rejection should be withdrawn.

Claims 3, 6-8, 16, 17, 21, 23-25, 32 and 33 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Albal et al. in view of Ng and further in view of Bobo, II. These claims depend from independent claims and are considered to be allowable for the reasons advanced above and, for the additional reason that the added subject matter thereof is not taught or suggested by the prior art of record.

All objections and rejections having been address, it is respectfully submitted that this application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

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